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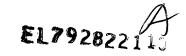
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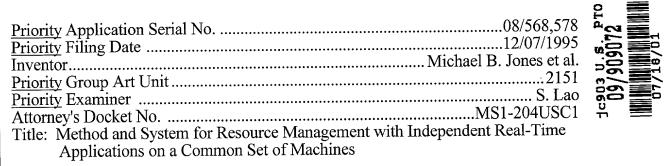
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# DIVISIONAL PATENT APPLICATION TRANSMITTAL

Commissioner of Patents and Trademarks, To:

Washington, D.C. 20231

Lance R. Sadler (Tel. 509-324-9256; Fax 509-323-8979) From:

Customer No. 22801



The following enumerated items accompany this transmittal letter and are being submitted for the matter identified in the above caption.

- 1. Transmittal Letter with Certificate of Mailing included.
- 2. Fee Transmittal
- 3. Check in the Amount of \$710.00
- 4. PTO Return Postcard Receipt
- 5. Request for Divisional Application Under 37 C.F.R. 1.53 (b)
- 6. True copy of the prior application as filed including the specification (26 pages, claims 1-44, Abstract, 12 sheets informal drawings (Figs. 1-9)
- 7. Copy of Executed Declaration
- 8. Preliminary Amendment
- 9. Copy of Assignment

Large Entity Status [x]

Small Entity Status [ ]

The Commissioner is hereby authorized to charge payment of fees or credit overpayments to Deposit Account No. 12-0769 in connection with any patent application processing fees under 37 CFR 1.17; and any additional filing fees under 37 CFR 1.16 for the presentation of extra claims.

Lance R. Sadler Reg. No. 34,656

LEE & HAYES, PLLC

### **CERTIFICATE OF MAILING**

I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as either first class mail, or Express Mail if the blank for Express Mail No. is completed below, in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date. Any Express Mail No. has also been marked on the listed items.

Express Mail No. (if applicable)	<b>E1792822110</b>
Date: 7/18/2001	By: Chery & Soies
/ /	Cheryl K Rojes

PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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# **FEE TRANSMITTAL** for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

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priority co	omplete if,Known
Application Number	08/568.578
Filing Date	12/07/95
First Named Inventor	Jone 5
Examiner Name	S. Lao
Group Art Unit	2151
Attornov Docket No.	MS1-20411501

METHOD OF PAYMENT FEE CALCULATION (continued)			
1. XX The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:			
indicated fees and credit any overpayments to:	Large Small		
Account Number 12-0769	Entity Entity Fee Fee Fee Fee Pescription F	* D-!-!	
Deposit	Code (\$) Code (\$)	ee Paid	
Account Name Lee & Hayes, PLLC	105 130 205 65 Surcharge - late filing fee or oath		
Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17	127 50 227 25 Surcharge - late provisional filing fee or cover sheet	i	
Applicant claims small entity status.	139 130 139 130 Non-English specification		
See 37 CFR 1 27  2. Payment Enclosed:	147 2,520 147 2,520 For filing a request for ex parte reexamination		
Check Credit card Money	112 920* 112 920* Requesting publication of SIR prior to Examiner action		
FEE CALCULATION	113 1,840* 113 1,840* Requesting publication of SIR after Examiner action		
1. BASIC FILING FEE	115 110 215 55 Extension for reply within first month		
Large Entity Small Entity	116 390 216 195 Extension for reply within second month		
Fee Fee Fee Fee Description Code (\$) Code (\$) Fee Paid	117 890 217 445 Extension for reply within third month		
101 710 201 255 Heiliby Gilling for	118 1,390 218 695 Extension for reply within fourth month		
106 320 206 160 Design filing fee	128 1,890 228 945 Extension for reply within fifth month		
107 490 207 245 Plant filing fee	119 310 219 155 Notice of Appeal		
108 710 208 355 Reissue filing fee	120 310 220 155 Filing a brief in support of an appeal		
114 150 214 75 Provisional filing fee	121 270 221 135 Request for oral hearing		
00 F10 - 3	138 1,510 138 1,510 Petition to institute a public use proceeding		
SUBTOTAL (1) (S) 7/0. 0 0	140 110 240 55 Petition to revive - unavoidable		
2. EXTRA CLAIM FEES  Fee from	141 1,240 241 620 Petition to revive - unintentional		
Extra Claims below Fee Paid	142 1,240 242 620 Utility Issue fee (or reissue)		
Total Claims	143 440 243 220 Design issue fee		
Claims	144 600 244 300 Plant issue fee		
Multiple Dependent	122 130 122 130 Petitions to the Commissioner		
1 <b>-</b>	123 50 123 50 Processing fee under 37 CFR 1.17(q)		
Large Entity Small Entity Fee Fee Fee Fee Description	126 180 126 180 Submission of Information Disclosure Stmt		
Code (\$) Code (\$) 103 18 203 9 Claims in excess of 20	581 40 581 40 Recording each patent assignment per property (times number of properties)		
102 80 202 40 Independent claims in excess of 3	146 710 246 355 Filing a submission after final rejection		
104 270 204 135 Multiple dependent claim, if not paid	(37 CFR § 1.129(a))		
109 80 209 40 ** Reissue independent claims over original patent	149 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))		
110 18 210 9 ** Reissue claims in excess of 20	179 710 279 355 Request for Continued Examination (RCE)		
and over original patent	169 900 169 900 Request for expedited examination of a design application		
SUBTOTAL (2) (\$) Other fee (specify)			
**or number previously paid, if greater; For Reissues, see above	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)		

SUBMITTED BY			Complete (if applicable)
Name (Print/Type)	Lance Risadler	Registration No. 38, 605	Telephone 509,324-9256
Signature	Hand Dall		Date 7/801

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Priority Application Serial No.	
Priority Filing Date	12/07/1995
Inventor	Michael B. Jones et al.
Priority Group Art Unit	2151
Priority Examiner	S. Lao
Attorney's Docket No.	MS1-204USC1
Title: Method and System for Resource Management	with Independent Real-Time
Applications on a Common Set of Machines	

## REQUEST FOR DIVISIONAL APPLICATION

#### **UNDER 37 C.F.R. 1.53(b)**

Commissioner of Patents and Trademarks, To: Washington, D.C. 20231

Lance R. Sadler (Tel. 509-324-9256; Fax 509-323-8979) From:

Customer No. 22801

This is a request for filing a Divisional application under 37 CFR §1.53(b) of Application Serial No. 08/568,578 which was filed December 7, 1995 and is entitled "Method and System for Resource Management with Independent Real-Time Applications on a Common Set of Machines." The prior application was submitted in the names of Jones et al. The original declaration showing their addresses is also enclosed.

The prior application was a complete application as set forth in 37 CFR §1.51(a). The application papers being filed herewith are a true copy of the prior application as filed including the specification (with claims), drawings, oath or



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declaration showing the signature(s), and any amendments referred to in the oath or declaration to complete the prior application. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein. No abandonment or termination of proceeding has occurred in the above-identified prior application.

The filing date of pending application Serial No. 08/568,578 is hereby claimed under 35 U.S.C. §120.

A preliminary amendment is enclosed.

A check is enclosed to pay fees under 37 CFR §1.16 and §1.17 associated with this communication.

A previous assignment to Microsoft Corporation has been executed by the inventors in the prior application, and is applicable to the present application. A copy of the assignment is enclosed herewith.

A previous power of attorney in the prior application is given to Lewis C. Lee, Reg. No. 34,656, Daniel L. Hayes, Reg. No. 34,618, Allan T. Sponseller, Reg. 38,318; Steven R. Sponseller, Reg. No. 39,384; James R. Banowsky, Reg. No. 37,773; Lance R. Sadler, Reg. No. 38,605; Thomas A. Jolly, Reg. No. 39,241; David A. Morasch, Reg. No. 42,905; Kasey C. Christie, Reg. No. 40,559; Nathan R. Rieth, Reg. No. 44,302; Brian G. Hart, Reg. No. 44,421; David S. Thompson, Reg. No. 37,954; Paul W. Mitchell, Reg. No. 44,453; Bradley K. DeSandro, Reg. No. 34,521;

1	Brian J. Pangrle, Reg. No. 42,973; Katie E. Sako, Reg. No. 32,628 and Daniel D.
2	Crouse, Reg. No. 32,022.
3	Please send correspondence to: Customer No. 22801.  22801
4	Direct telephone calls to: Lance R. Sadler (509) 324-9256.
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6	Respectfully submitted,
7	- Island Am
8	Dated: 7 180 By: Lance R. Sadler Reg. No. 38,605
9	Reg. 110. 36,003
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